

## FIRST AMENDMENT TO LEASE

This Amendment to Lease is made this 7<sup>th</sup> day of September, 2004, by and between Betty Brown Casey Trust ("Landlord"), and Montgomery County, Maryland ("Tenant").

### WITNESSETH:

Whereas, Landlord and Tenant entered into a certain Lease dated July 1, 1999, ("the lease"), covering 36,000 total rentable square feet of warehouse space, located at 8516, 8520, 8532, 8536, 8540 Anniversary Circle, Gaithersburg, Maryland 20877; and

Whereas, the parties now wish to amend the Lease to extend the expiration date to December 31, 2010, upon the terms and conditions hereinafter set forth.

Now, therefore, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Section #2, TERM-** The term extension hereby created shall be five (5) years commencing on January 1, 2005 and ending at midnight on December 31, 2009.
2. **Section #4, RENT-** The fixed annual rent amount will change for the first year of the extended term to \$245,000.00, payable in equal monthly payments of \$20,416.67 beginning January 1, 2005. The annual rent amount shall increase 3% each lease year thereafter.
3. **Section #7F, SERVICES-** The charges for water and sewer shall change from a fixed amount of \$250.00 per bay annually to actual sub-meter readings each year for service beginning January 1 through December 31.
4. The amendment shall reflect a change of address for the County. The new address is: Montgomery County, Department of Public Works and Transportation, Office of Real Estate, 101 Monroe Street 10<sup>th</sup> floor, Rockville Md., 20850 with a copy of Notice to Montgomery County, Office of the County Attorney, 101 Monroe Street 2<sup>nd</sup> Floor, Rockville, Md. 20850.

All terms, covenants and conditions of the Lease not expressly modified and amended hereby shall remain in full force and effect and are hereby ratified and affirmed in all respects.

IN WITNESS WHEREOF, Landlord and Tenant duly executed this Amendment on the day and year first written above.

WITNESS:

By Penny Mitchell

LANDLORD  
BETTY BROWN CASEY TRUST

Agent For  
By: [Signature]

Title: Property Manager

Date: 8-31, 2004

WITNESS:

By Rebecca S. Domaruk

TENANT:  
MONTGOMERY COUNTY,  
MARYLAND

By Joseph F. Beach

Joseph F. Beach, Assistant  
Chief Administrative Officer

Date: 9/7/04

APPROVED AS TO FORM AND  
LEGALITY OFFICE OF THE  
COUNTY ATTORNEY

By: Gileen J. Brennan

Date: 8/27/2004

RECOMMENDED

By: Cynthia Brenneman  
Cynthia Brenneman, Director  
Office of Real Estate

Date: 8/26/04